

CHAPTER 91
CRITERIA FOR RATING AND RANKING PROJECTS
FOR THE WATER POLLUTION CONTROL STATE REVOLVING FUND

[Prior to 7/1/83, DEQ 19.2(12)]

[Prior to 12/3/86, Water, Air and Waste Management[900]]

567—91.1(455B) Statutory authority. The authority for the Iowa department of natural resources to provide loans to eligible entity applicants to assist in the construction of wastewater treatment facilities and water pollution control works is provided in Iowa Code sections 455B.291 to 455B.299. The requirement to have selection criteria and a method for selecting projects or programs for loans is provided in 40 CFR Part 35.3150, July 1, 2002.

567—91.2(455B) Scope of title. The department has jurisdiction over the surface water and ground-water of the state to prevent, abate and control pollution. As part of that general responsibility, the department and the Iowa finance authority are jointly designated to conduct the administration of the water pollution control state revolving fund (WPCSRF) loan assistance program to assist in the financing of infrastructure projects pursuant to the Clean Water Act. A project must comply with this chapter and 567—Chapter 92 to be eligible for a WPCSRF loan. This chapter provides the rating criteria to be used to rank eligible projects for funding. Rating criteria are provided for point source projects and nonpoint source projects. The nonpoint source projects are divided into three activities:

1. Livestock water quality facilities;
2. Local water protection projects; and
3. General nonpoint source projects.

Rating criteria for onsite wastewater systems are not included at this time because the loan assistance is based on a first-come, first-funded concept.

567—91.3(455B) Purpose of water pollution control state revolving fund. The WPCSRF provides financial assistance to eligible water pollution control works for the design and construction of facilities to protect and improve the state's water quality. The fund reserves a percentage of money each year for administrative purposes. The Iowa department of natural resources (department) administers the program, along with the Iowa finance authority (authority). The director will coordinate with the authority under the terms of an interagency agreement entered into pursuant to Iowa Code chapter 28E. The department establishes priorities for the use of the WPCSRF and publishes them each year in its intended use plan (IUP).

The financial assistance is described in more detail in 567—Chapter 92. This chapter identifies the criteria that are used to rate projects and activities, both point source and nonpoint source projects and activities. This chapter describes how the criteria will be used to calculate a total score for ranking projects. The commission is to set funding targets for point source and nonpoint source activities and to adjust the fundable project list to ensure that the short- and long-term goals of the IUP are achieved. The public has an opportunity annually to comment on both the fundable list and the short- and long-term goals of the intended use plan.

567—91.4 and 91.5 Reserved.

567—91.6(455B) General information—priority rating system. The department shall use the priority rating system to rate eligible projects for funding. An eligible project may be either a point source project or a nonpoint source project or activity. A nonpoint source project activity must be identified in the most recent Iowa nonpoint source management program to be considered eligible.

567—91.7 Reserved.

567—91.8(455B) Project priority rating system.

91.8(1) Point source rating criteria. The point source rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, compliance status of the discharger, project benefits, readiness to proceed and a tiebreaker. Priority ranking for the projects shall be based on the total points awarded for all the categories; the greater the total number of points, the higher the ranking. The ranking will be done annually at the time the IUP is prepared and will not be updated during the year. The tiebreaker category will be used when necessary.

a. Use classification of receiving waters. This category addresses the receiving water that is impacted or potentially impacted by the existing situation and that would be improved or protected by the proposed project. Points shall be awarded for only one use: the applicable use or classification with the highest point value. Points for sludge stabilization, sewers and lift station projects normally will be based on the assigned use of the waters that receive or could receive the effluent discharge. Points for a sewer project that eliminates the need for septic tanks shall be based on the Class C use classification.

Use and Classification	Points
Outstanding national resource waters	50
High quality waters	40
High quality resource waters	10
Class A waters	
Lakes or streams draining to lakes	50
Streams	45
Urban streams	45
Cold water streams	50
Losing streams and karst topography	40
Class C (waters used as a drinking water supply)	40
Class B waters	
Lakes or streams draining to lakes	40
Wetlands	35
Streams	30
Publicly owned lakes (and streams draining to publicly owned lake)	50
Other lakes	30

b. *Water quality of receiving waters.* This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the wastewater discharge is included on the Section 303(d) list and the probable pollutant source is a point source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the wastewater discharge. If no use impairment is identified indicating the water was not assessed, the partially supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: point source	50
High rating for total maximum daily load (TMDL) development	45
Medium rating for TMDL development	35
Low rating for TMDL development	25
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	15
Partially supporting	20
Not supporting	30
Not assessed	20

c. *Compliance status.* This category addresses the compliance status of the proposed project. To provide an incentive for municipal facilities to maintain compliance, more points are given to projects that are in compliance with their NPDES discharge permit when they apply for a loan. Projects that are not in compliance at the time of application, have bypasses, have received administrative orders from the department or have been referred for legal action are given fewer points than a project in compliance. Unsewered community projects will be considered to be in compliance if they are taking action to eliminate public health problems or water quality problems, or both, prior to formal action by the department.

Compliance Status	Points
Has been referred to Iowa attorney general for discharge violation	35
Received administrative order from DNR for discharge violations	28
Compliance schedule in NPDES permit—existing discharge requirements are not being met	25
Compliance schedule in NPDES permit—new discharge requirements are being imposed	38
Bypassing during dry weather has been reported in previous 12 months	32
Bypassing during wet weather has been reported in previous 12 months	20
Discharge has met all NPDES permit requirements for 12 months (at time of application)	38
Discharge is in compliance with NPDES permit—no action taken by department (at time of application)	40
Unsewered community and initiates project on its own	40
Unsewered community and has received an administrative order from DNR	25
Plan of action requested or plan of action has been submitted to the department	25
Discharge is not in compliance with NPDES permit—no action taken by department (at time of application)	27

d. Project benefit. This category incorporates several factors including type of project and the relative level of the impact on the environment. Points for multiple benefits shall be awarded but the project benefits total can not exceed 20 points.

Project Benefits	Points
Implementation of TMDL plan	20
Replacement or upgrade of wastewater treatment works to meet water quality-based permit limits	20
Reduce impairments to Class C waters [drinking water]	19
Repair of lift station or collection system to eliminate dry weather bypassing	18
Replacement or upgrade of advanced wastewater treatment system to ensure continued compliance	18
Public health benefit by elimination of frequent sewer backups in homes and businesses	15
Disinfection of wastewater	10
Replacement or upgrade of secondary wastewater treatment system to ensure continued compliance	17
Collection and treatment to replace failed onsite wastewater systems	14
Upgrade of wastewater treatment works to allow for more reliable treatment (advanced or secondary)	16
Elimination of flat sewers	6
Separation of combined sewers	9
Sludge treatment and stabilization	10
Urban storm water management program	5
Sludge storage	10
Eliminate pump station	6

e. Readiness to proceed. This category addresses the status of the project planning, preparation of plans and specification, and overall readiness to proceed with project construction. This category is included to reduce the number of projects bypassed on the fundable list due to their inability to achieve readiness for a loan. Projects may still be bypassed or removed from the fundable list according to 567—subrule 91.7(2).


Project Status	Points
Plans and specifications submitted for review	10
Finding of No Significant Impact (FONSI) issued	8
Facility plan approved	7
Facility plan submitted	6
Facility plan being prepared	5
Plan of action approved	4
No planning completed	0

f. Total points. Total points are calculated using the following formula:

Total Points = Use Classification + Water Quality (A) + Water Quality (B) + Compliance Status + Project Benefit + Readiness

g. *Tiebreaker.* Two or more projects may receive the same total points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Project Benefits
 - Compliance Status
 - Readiness to Proceed
- Highest



Lowest

91.8(2) Reserved.

567—91.9(455B) Livestock water quality facilities priority rating criteria system.

91.9(1) *Livestock water quality facilities rating system.* The livestock water quality facilities rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, open feedlot plan rating and a tiebreaker. Priority ranking for the projects is based on the total points awarded for all the categories; the greater the total number of points, the higher the ranking.

a. *Use classification of receiving waters.* This category addresses the receiving water that is impacted or potentially impacted by the existing operation and that would be improved or protected by the proposed project. Points shall be awarded for only one use: the applicable use or classification with the highest point value. The manure application sites, feedlots, lagoons and basins, and manure and litter storage areas should be considered when determining the points to be awarded.

Use and Classification	Points
Outstanding national resource waters (proposed water use)	50
High quality waters	40
High quality resource waters	10
Class A waters	
Lakes or streams draining to lakes	60
Streams	45
Urban streams	45
Cold water streams	50
Losing streams and karst topography	40
Class C (waters used as a drinking water supply)	40
Class B waters	
Lakes or streams draining to lakes	50
Wetlands	35
Streams	30
Publicly owned lakes (and streams draining to publicly owned lake)	50
Other lakes	30

b. Water quality of receiving waters. This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the discharge is included on the Section 303(d) list and the probable pollutant source is a nonpoint source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the discharge. If no use impairment is identified, the fully supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: Nonpoint source (if nonpoint sources are not the probable source of pollution, the following points are to be used)	100
High rating for TMDL development	90
Medium rating for TMDL development	80
Low rating for TMDL development	70
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	20
Partially supporting	30
Not supporting	40

c. Iowa open feedlot plan rating. This category incorporates the rating given the animal feeding operation from the Iowa open feedlot plan.

Iowa Open Feedlot Plan Rating	Points
High	40
Medium	30
Low	20
Unranked	10


d. Total points. Total points are calculated using the following formula:

Total Points = Use and Classification + Water Quality (A) + Water Quality (B) + Iowa Open Feedlot Plan Rating

e. *Tiebreaker.* Two or more projects may receive the same total priority points. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Iowa Open Feedlot Plan Rating

Highest



Lowest

91.9(2) Reserved.

567—91.10(455B) Local water protection projects rating system.

91.10(1) *Local water protection projects rating criteria.* The local water protection projects rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, the watershed management planning status in the watershed where the project is located and a tiebreaker. Priority ranking for the projects is based on the total points awarded for all the categories. The greater total number of points, the higher the ranking.

NOTE: It is likely that the soil conservation projects will be assisted through a linked deposit mechanism and the rating criteria will be used by county soil and water conservation districts to select projects.

a. *Use classification of receiving waters.* This category addresses the receiving water use classification that would be improved or protected by the proposed project. Points shall be awarded for only one use: the applicable use or classification with the highest point value.

Use and Classification	Points
Outstanding national resource waters (proposed water use)	50
High quality waters	40
High quality resource waters	10
Class A waters	
Lakes or streams draining to lakes	60
Streams	45
Urban streams	45
Cold water streams	50
Losing streams and karst topography	40
Class C (waters used as a drinking water supply)	40
Class B waters	
Lakes or streams draining to lakes	50
Wetlands	35
Streams	30
Publicly owned lakes (and streams draining to publicly owned lake)	50
Other lakes	30

b. Water quality of receiving waters. This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the discharge is included on the Section 303(d) list and the probable pollutant source is a nonpoint source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the discharge. If no use impairment is identified, the fully supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: Nonpoint source (if nonpoint sources are not the probable source of pollution, the following points are to be used)	100
High rating for TMDL development	90
Medium rating for TMDL development	80
Low rating for TMDL development	70
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	20
Partially supporting	30
Not supporting	40

c. Watershed management planning status. This category incorporates the status of a watershed management plan.


Watershed Management Planning Status	Points
Watershed management plan developed and being implemented	40
Watershed management plan being developed	32
Watershed management plan does not exist	15
TMDL plan approved and being implemented	40
TMDL plan drafted	35
TMDL plan required in future	30
TMDL plan not required	20

d. Total points. Total points are calculated using the following formula:

Total Points = Use and Classification + Water Quality (A) + Water Quality (B) + Watershed Management Planning Status

e. *Tiebreaker.* Two or more projects may receive the same total priority points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Watershed Management Planning Status
- Highest



Lowest

91.10(2) Reserved.

567—91.11(455B) General nonpoint source projects rating system.

91.11(1) *General nonpoint source projects rating criteria.* The general nonpoint source rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, the project benefits and a tiebreaker. Priority ranking for the projects is based on the total points awarded for all the categories. The greater total number of points, the higher the ranking.

a. *Use classification of receiving waters.* This category addresses the receiving water use classification that would be improved or protected by the proposed project. Points shall be awarded for only one use: the applicable use or classification with the highest point value.

Use and Classification	Points
Outstanding national resource waters (proposed water use)	60
High quality waters	58
High quality resource waters	20
Class A waters	
Lakes or streams draining to lakes	60
Streams	45
Urban streams	48
Cold water streams	58
Losing streams and karst topography	48
Class C (waters used as a drinking water supply)	52
Class B waters	
Lakes or streams draining to lakes	53
Wetlands	35
Streams	30
Publicly owned lakes (and streams draining to publicly owned lake)	50
Other lakes	30

b. Water quality of receiving waters. This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the discharge is included on the Section 303(d) list and the probable pollutant source is a nonpoint source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the discharge. If no use impairment is identified, the fully supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: Nonpoint source (if nonpoint sources are not the probable source of pollution, the following points are to be used)	100
High rating for TMDL development	90
Medium rating for TMDL development	80
Low rating for TMDL development	70
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	20
Partially supporting	30
Not supporting	40

c. *Project benefit.* This category incorporates several factors including type of project and the relative level of the impact on the environment. Points for only one benefit shall be awarded: when a project has more than one significant benefit, the benefit with the highest point value shall be used.

Benefits	Points
Implementation of TMDL plan	40
Eliminate pollution source discharging to:	
• Cold water stream	40
• Publicly owned lake	38
• Class C drinking waters	35
• Other surface waters	28
• Disinfection of wastewater	12
Eliminate pollutant source to groundwater	37
Eliminate or reduce public health problem	25
Protect, improve or expand wetlands area	31
Project improves lake habitat and water quality	26
Project improves stream habitat or eliminates hydromodification degradation	29
Urban storm water control program in non-MS4 area	5
Gain control of land needed to protect or improve water quality	15

d. *Total points.* Total points are calculated using the following formula:
Total Points = Use and Classification + Water Quality (A) + Water Quality (B) + Project Benefits

e. *Tiebreaker.* Two or more projects may receive the same total priority points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Project Benefits
- Highest

j

Lowest

91.11(2) Reserved.

91.11(3) *Nontraditional projects.* Nontraditional projects are those in which the primary purpose of the project is other than to improve or protect water quality. Applications may be submitted for non-traditional projects. The applications will be scored using the general nonpoint source projects rating criteria. The traditional projects will be given first priority. If sufficient funds remain in the general nonpoint source set-aside, the nontraditional projects will be listed on the fundable list in priority order after all of the fundable traditional projects are listed.

These rules are intended to implement Iowa Code sections 455B.291 to 455B.298.

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